

258662

The Goodyear Tire & Rubber Company
Akron, Ohio 44316 - 0001

October 16, 2003

NHTSA-03-16464-1

Dr. Jeffrey W. Runge

Administrator
National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590

Subject: Petition for Exemption - Inconsequential Noncompliance with
49 CFR 571.119, Paragraph 6.5 (f)

Dear Dr. Runge:

The Goodyear Tire & Rubber Company (Goodyear), a corporation of the State of Ohio with principal address at 1144 East Market Street, Akron, Ohio 44316-0001 hereby petitions pursuant to Part 556 of Title 49 Code of Federal Regulations for exemption from the National Traffic and Motor Vehicle Safety Act's notification and remedy requirements with respect to the following identified light truck tires.

Paragraph 6.5 (f) of FMVSS-119 requires the number of plies in the sidewall of the tire to be identified.

During the period from February 1, 1998 to May 31, 2003, Goodyear manufactured and shipped 37,980 LT265/75R16 Wrangler RT/S LR-E tires, all of which do not comply with FMVSS-119, Paragraph 6.5 (f). These tires were marked with 3 plies in the sidewall while there were actually 2 plies in the sidewall.

This error occurred when these tires replaced the previous tire that had 3 plies in the sidewall. The new tire was changed to 2 plies but the mold drawing and specification were not revised to reflect this change.

Goodyear believes this noncompliance is inconsequential to motor vehicle safety because the tires meet or exceed all applicable Federal Motor Vehicle Safety performance standards (see attached test results). All of the markings related to tire service (load capacity, corresponding inflation pressure, load range, etc) are correct. The mislabeling noted above creates no unsafe condition.

The previously filed defects and noncompliance report is also attached.

Sincerely,

D E Stanley

D E Stanley
Vice President
Product Quality & Plant Technology

Attachments

ES03-007520

The Goodyear Tire & Rubber Company

Akron, Ohio 44316 - 0001

Vice President
Product Quality & Plant Technology

September 17, 2003

Mr Kenneth N. Weinstein
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590

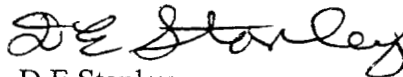
Subject: Notification of Inconsequential Noncompliance with
49 CFR 571.119, Paragraph S6.5(f)

Dear Mr. Weinstein:

This notice is being sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act. The Goodyear Tire & Rubber Company has determined that 37,980 LT265/75R16 Wrangler RT/S tires do not comply with 49 CFR 571.119, Paragraph 6.5(f). A complete Part 573 Defect and Noncompliance Information Report is attached detailing the conditions of the noncompliance.

A petition for Exemption – Inconsequential Nonconformance for the subject tires will be submitted within thirty days with the required three copies of the 49 CFR Part 573 Defects and Noncompliance Information Report.

Sincerely,



D E Stanley
Vice President
Product Quality & Plant Technology

Attachment

Safety Defect and Noncompliance Report Guide for Equipment
PART 573 Defect and Noncompliance Report¹

On September 16, 2003, The Goodyear Tire & Rubber Company decided that a noncompliance with motor vehicle safety standard 119 existed in items of motor vehicle equipment listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Reports.

Date this report was prepared: September 16, 2003

Furnish the manufacturer's identification code for this recall (if applicable): N/A

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

The Goodyear Tire & Rubber Company

1144 East Market Street

Akron, OH 44316

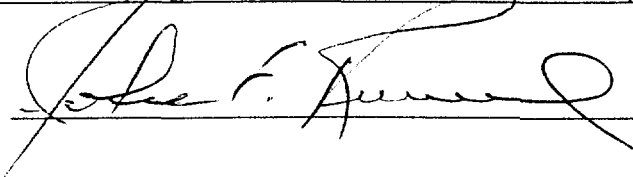
Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

John E. Rumel, Manager Government & Customer Compliance

Telephone Number: 330-796-3519 Fax No.: 330-796-6591

Name and Title of Person who prepared this report.

John E. Rumel, Manager Government & Customer Compliance

Signed: 

¹Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, for each defect or noncompliance condition which relates to motor vehicle safety.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. Jon White at (202) 366-5226 or by FAX at (202) 366-7882.

I. Identify the Recalled Items of Equipment

2. Identify the Items of Equipment Involved in this Recall, *for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:*

Generic name of the item: Tire

Make: Goodyear Model: Wrangler RT/S

Part Number: NA Size: LT265/75R16

Tire Type: Light Truck Tire

Other information which characterizes/distinguishes the items of equipment to be recalled:

DOT Serial Numbers: From: Y1W82JY4058 To: Y1W82JY42103

Production Dates: Beginning: February 1, 1998 Ending: May 31, 2003

II. Identifying the Recall Population

3. Furnish the total number of items of equipment recalled potentially containing the defect or noncompliance.

Model	Size	Number of Items Potentially Involved
Goodyear Wrangler RT/S	LT265/75R16	37,980

Total Number Potentially Affected by the Recall: 37,980

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the noncompliance: 100%

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled items of equipment: The determination was made when a request for a new mold was initiated. Beginning and final dates of manufacture were determined by when previous molds were placed into service and removed from service.

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims. N/A

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

On September 16, 2003 it was determined that upon the placement of a request for a new mold, that the original specification incorrectly identified the number of sidewall plies as 3 when it should have been 2 thus resulting in incorrect markings on the tires.

V. Identify the Remedy

8. Furnish a description of the manufacturer's remedy for the noncompliance. Clearly describe the differences between the recall condition and the remedy.

Cause of the noncompliance has been identified and above listed serials cover all of the tires produced. Goodyear will petition for an exemption for inconsequential noncompliance due to the fact that this is mislabeling and not a safety concern (all other markings are correct and the tires pass all required tests).

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

Not applicable based on the petition for exemption for inconsequential noncompliance.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

This was an isolated instance; however, additional steps have been put in place that will assure that molds are correctly labeled in the future.

VI. Identify the Recall Schedule

Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

Not applicable based on the petition for exemption for inconsequential noncompliance.

VII. Furnish Recall Communications

9. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) for review prior to mailing.*

Note: These documents are to be submitted separately from those provided in accordance with Part 573.8 requirements. None.

III. Describe the Defect or Noncompliance

5. Describe the noncompliance. The description should address the nature and physical location of the noncompliance. Illustrations should be provided as appropriate.

The noncompliance is that FMVSS119 requires that tires be marked with the number of plies in the sidewall of the tire. In this case, the number of plies is incorrect in that the number of plies in the sidewall indicates 3 when the actual number of plies in the sidewall is 2.

Describe the cause of the noncompliance condition.

The cause of the noncompliance was that these tires replaced a previous tire which was a three ply sidewall tire. When the new tires were developed, the production tires were changed to a 2 ply and the mold drawing and the specification were not changed to reflect the 2 ply sidewall construction.

Describe the consequence(s) of the noncompliance condition.

The consequence of the noncompliance is not safety related. The consequence is a mis-labeled tire.

Identify any warning which can (a) precede or (b) occur.

None.

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

N/A

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:

N/A